

State of Illinois
OFFICE OF THE GOVERNOR
207 State Capitol, Springfield, Illinois 62706

August 25, 2003

To the Honorable Members of the
Illinois Senate
93rd General Assembly

I appreciate the burden placed on sheriffs when a major mental health facility is closed. This amendatory veto is drafted to help alleviate the impact of that burden. Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 639, entitled "AN ACT concerning mental health", with the following specific recommendations for change:

on page 1, by replacing lines 11 through 25 with the following:

"take a respondent into custody and transport him to a mental health facility, or may make arrangements with another public or private entity including a licensed ambulance service to appropriately transport the respondent to the mental health facility. In the event it is determined by such facility that the respondent is in need of commitment or treatment at another mental health facility, the county sheriff shall transport the respondent to the appropriate mental health facility, or the county sheriff may make arrangements with another public or private entity including a licensed ambulance service to appropriately transport the respondent to the mental health facility. If, however, the respondent is found in any county where an entire State-operated mental health facility, operated by the Department, was closed between August 2002 and September 2002, then upon receipt of a petition and certification prepared pursuant to this Article, the county sheriff of the county in which the respondent is found shall take the respondent into custody and notify the Department. Thereafter, the Department shall make arrangements either directly or through agreements with other public or private entities to appropriately transport the respondent to the mental health facility. If it is determined that the respondent in such a county is in need of commitment or treatment at another mental health facility, the Department shall make arrangements either directly or through agreements with other public or private entities to appropriately transport the respondent to the mental health facility."; and

by replacing line 32 on page 2 through line 4 on page 3 with the following:

"such person is able to do so safely and humanely. When the Department indicates that it has transportation to the facility available, the order may authorize the Department to transport the recipient there. The court may order the sheriff of the county in which such proceedings are held to transport the recipient to the facility. If, however, the respondent is found in any county where an entire State-operated mental health facility, operated by the Department, was closed between August 2002 and September 2002, then upon receipt of a petition and certification prepared pursuant to this Article, the county sheriff of the county in which the respondent is

found shall take the respondent into custody and notify the Department. Thereafter, the Department shall make arrangements either directly or through agreements with other public or private entities to appropriately transport the respondent to the mental health facility. If it is determined that the respondent in such a county is in need of commitment or treatment at another mental health facility, the Department shall make arrangements either directly or through agreements with other public or private entities to appropriately transport the respondent to the mental health facility. When a”; and

on page 3, by replacing lines 11 and 12 with the following:

“or the Department is authorized to transport the recipient between facilities, or whether the Department or the county sheriff”;

on page 3, by replacing lines 14 and 15 with the following:

“facilities. The party determined by the court to be responsible for the recipient’s transportation ~~sheriff~~ may make arrangements with”;

on page 5, by replacing lines 13 through 16 with the following:

“placement process, the sheriff shall be notified and shall appropriately transport the defendant to the designated facility. If, however, the defendant is located in any county where an entire State-operated mental health facility, operated by the Department of Human Services, was closed between August 2002 and September 2002, the Department of Human Services shall make arrangements either directly or through agreements with other public or private entities to appropriately transport the defendant to the designated”;

on page 7, by replacing lines 17 through 20 with the following:

“Upon completion of the placement process the sheriff shall be notified and shall transport the defendant to the designated facility. If, however, the defendant is located in any county where an entire State-operated mental health facility, operated by the Department of Human Services, was closed between August 2002 and September 2002, the Department of Human Services shall make arrangements either directly or through agreements with other public or private entities to appropriately transport the”.

With these changes, Senate Bill 639 will have my approval. I respectfully request your concurrence.

Sincerely,
ROD R. BLAGOJEVICH
Governor